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1934

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Washington, Thursday, February 5, 1953

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 25—FEDERAL EMPLOYEES' PAY REGULATIONS

PART 27—EXCLUSION FROM PROVISIONS OF THE FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED, AND THE CLASSIFICATION ACT OF 1949, AS AMENDED, AND ESTABLISHMENTS OF MAXIMUM STIPENDS FOR POSITIONS IN GOVERNMENT HOSPITALS FILLED BY STUDENT OR RESIDENT TRAINEES

DEFINITIONS; MAXIMUM STIPENDS PRESCRIBED

1. Effective upon publication in the FEDERAL REGISTER, paragraph (e) of § 25.11 is amended by adding a new fourth sentence. As amended, the paragraph will read in pertinent part as follows:

§ 25.11 Definitions. * * *

(e) "Waiting period" is the minimum time requirement of creditable service without an equivalent increase in compensation in order to be eligible for consideration for a periodic step-increase. The waiting period for either full-time or regular part-time employees is 52 calendar weeks for grades with step-increases of less than \$200, and 78 calendar weeks for grades with step-increases of \$200 or more. (A calendar week is a total of any 7 calendar days before, beginning with, or after a specified day.) The waiting period shall not be interrupted where the employee's services are terminated on the last day of his regularly scheduled administrative workweek and his next appointment is made effective on the first day of the next regularly scheduled administrative workweek for his new position. Creditable service, in the computation of waiting periods, includes: * * *

(Sec. 1101, 63 Stat. 971; 5 U. S. C. Sup. 1072)

2. Effective February 1, 1953, the maximum stipends prescribed in § 27.2 for medical or dental interns and residents at Gallinger Municipal and Freedmen's Hospitals are revoked. The stipends which are presently prescribed under the heading "All other Federal hospitals" will be applicable to medical or dental

interns and residents at Gallinger Municipal and Freedmen's Hospital as well. The revised provision on maximum stipends for medical or dental interns and residents will read as follows:

§ 27.2 Maximum stipends prescribed.

* * *

Medical or dental interns and residents—

Approved internship, per year.....	\$2,800
First year approved residency.....	3,400
Second year approved residency.....	3,800
Third year approved residency.....	4,200
Fourth year approved residency.....	4,700

Note: Maximum stipends for Canal Zone Government and Panama Canal Company are 25 percent above these rates.

(61 Stat. 727; 5 U. S. C. 1051-1058)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] C. L. EDWARDS,
Executive Director.

[F. R. Doc. 53-1211; Filed, Feb. 4, 1953; 8:49 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 779—RETAIL OR SERVICE ESTABLISHMENT AND RELATED EXEMPTIONS

APPLICATION OF THE 13 (a) (2) AND 13 (a) (4) EXEMPTIONS TO MONUMENT DEALERS

Part 779 is hereby amended by adding a new section numbered § 779.30 to read as follows:

§ 779.30 *Application of the 13 (a) (2) and 13 (a) (4) exemptions to monument dealers.* (a) It is the purpose of this section to show generally how the principles governing the application of the 13 (a) (2) and the 13 (a) (4) exemptions apply to monument dealers' establishments, particularly where the establishment is engaged in performing certain processing operations on the monuments it sells.

(b) Monument dealers' establishments may be roughly divided into four types:

(1) Establishments which are engaged exclusively in selling monuments and

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FEDERAL REGISTER

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memorials from designs. They receive their monuments from a manufacturer completely finished and lettered and they then erect the monuments.

(2) Establishments which purchase finished monuments from manufacturers, display them, carve or sand-blast lettering or incidental decoration to order, and set them in cemeteries or elsewhere.

(3) Establishments which purchase finished and semi-finished work. The semi-finished work consists of sawed, steeled, or polished granite slabs or sand-rubbed marble. In such a case the establishments will cut ends, tops, or joints on dies and may shape a base.

(4) Establishments which purchase stone in rough form and perform all the fabricating operations in their own plants.

In such a case the establishments may saw or line-up the rough stones, machine surface and polish the stone and then perform the other operations necessary to complete the monument. They may finish the monuments for display or on special order and then erect them.

(c) In applying the tests of the 13 (a) (2) exemption the ordinary sale of a tombstone or monument will be considered as a retail sale in the industry within the meaning of the exemption. If any monument dealer establishment meets the tests of the 13 (a) (2) exemption (see § 779.6) all employees employed by it will be exempt under that exemption except those employees who are engaged in the making or processing of the goods. However, carving or sand-blasting of lettering or incidental decoration or erecting the monuments, is considered processing incidental to the making of retail sales and would not defeat the 13 (a) (2) exemption for employees performing such work.

(d) Employees who engage in processing semi-finished or rough granite or marble or other stone into finished monuments such as the work performed in the third and fourth types of establishments are engaged in the making or processing of goods and are not, for that reason, exempt under section 13 (a) (2). In order for those employees to be exempt the establishment by which they are employed must meet the tests of the 13 (a) (4) exemption. See § 779.18. It will be noted that one of the requirements of that exemption is that the establishment must be recognized as a

retail establishment in the industry. Generally an establishment of the third type which receives finished stock and in addition receives some semi-finished work, including sawed, steeled, or polished granite slabs or sand-rubbed marble, etc., and performs such operations as cutting ends, tops, or joints on the dies, is a type of establishment which is recognized as a retail establishment in the industry. On the other hand, those establishments which characteristically engage in the sawing or lining-up of rough stone, or in the machine surfacing and polishing of stone, such as the activities performed in an establishment of the type mentioned in paragraph (b) (4) of this section, are not recognized as retail establishments in the particular industry within the meaning of section 13 (a) (4). Therefore, their employees who engage in such processing of monuments are not exempt under this section of the act.

(52 Stat. 1060, as amended; 29 U. S. C. 201-219)

Signed at Washington, D. C., this 30th day of January 1953.

WM. R. McCOMB,
Administrator
Wage and Hour Division.

[F. R. Doc. 53-1195; Filed, Feb. 4, 1953;
8:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 535—PAYMENT OF BILLS AND ACCOUNTS

MISCELLANEOUS AMENDMENTS

Sections 535.6 (a) 535.7 (a) 535.8 (a) and 535.9b (e) are amended to read as follows:

§ 535.6 *Discounts*—(a) *Responsibility for prompt rendering of invoices.* The responsibility for promptly furnishing a correct invoice, or bill, for deliveries under a contract is that of the contractor and the Government is entitled to discount offered for prompt payment, if payment is made within the discount period after receipt of a correct invoice. Date of receipt of invoice will be shown thereon. Discounts should not be taken on vouchers when the discount date has expired prior to payment. If a voucher has been certified for an amount which is the total amount less the computed discount but the discount date has expired, the finance officer will make payment in full amount, if otherwise proper, without returning the voucher to the certifying officer for certification in the full amount due.

§ 535.7 *Advance payments*—(a) *Advances of public money*—(1) *Advances prohibited.* No advance of public money shall be made in any case unless authorized by the appropriation concerned or other law. And in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed the

value of the service rendered, or of the articles delivered previously to such payment. (See R. S. 3648; sec. 11, Act August 2, 1946 (60 Stat. 809; 31 U. S. C. 529))

(2) *Advances permitted.* Section 3648, Revised Statutes, shall not apply, in the case of payments made from appropriations contained in the current appropriation act, to payments made in compliance with the laws of foreign countries or their ministerial regulations; to payments for rent in such countries for such periods as may be necessary to accord with local custom; or to payments made for tuition. See current Department of Defense Appropriation Act.

§ 535.8 *Partial payments*—(a) *Unnumbered contracts.* Partial payments, not to exceed five in number on any given contract, may be made with respect to partial deliveries under unnumbered contracts, including purchase orders, amounting to less than \$20,000 (which provide for single payment) *Provided*, That the original signed contract is attached to the first payment voucher. There will be indicated on each payment voucher reference to all preceding payments under the contract showing: Name of disbursing officer; period of account; voucher number; and amount paid. (See MS Comp. Gen. B 45107, April 22, 1952.)

§ 535.9b *Adjustments.*

(e) *Adjustments after final payment.* (1) Supplemental payments to a contractor may be made after the final settlement voucher has been paid where it is clear from the facts in the case, in which both the contractor and the contracting officer concur, that the voucher previously marked "Final Payment" was so marked through error. The supplemental voucher will be marked "Final Payment," with appropriate citation to the previous so-called final payment voucher, and will have attached thereto, in addition to other required supporting papers, the complete file of correspondence or other papers substantiating the facts. The supplemental final voucher will also contain the certificate "No release has been had from the contractor."

(2) Requests by contractors for relief under the provisions of the First War Powers Act, 1941, as amended, and Executive Order 10210, February 2, 1951, which authorize administrative agencies concerned with national defense to amend or modify contracts "heretofore or hereafter made" without regard to other provisions of law in order to facilitate national defense, may be considered and granted after full performance of the contract and after final payment, provided such requests are filed during performance of the contract and before final payment has been made under the contract. See 31 Comp. Gen. 685.

[C1, AR 35-3220, Jan. 15, 1953] (R. S. 161; 5 U. S. C. 22. Interpret or apply R. S. 3477, as amended, 3737, as amended; 31 U. S. C. 203, 41 U. S. C. 15)

[SEAL] WM. E. BERCIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-1220; Filed, Feb. 4, 1953;
8:50 a. m.]

Chapter XIV—The Renegotiation Board

Subchapter B—Renegotiation Board Regulations Under the 1951 Act

PART 1453—MANDATORY EXEMPTIONS FROM RENEGOTIATION

CONTRACTS THAT DO NOT HAVE A DIRECT AND IMMEDIATE CONNECTION WITH THE NATIONAL DEFENSE

Section 1453.5 (b) is amended as follows:

1. Subparagraph (4) is deleted in its entirety and the following is inserted in lieu thereof.

(4) *Materials for authorized resale.* Contracts for the purchase of materials for authorized resale except contracts for the purchase of materials to be issued or to be sold under the monetary clothing allowance system of any of the armed services.

2. Subparagraph (12) is deleted in its entirety and the following is inserted in lieu thereof:

(12) *Corps of Engineers.* All contracts to the extent that they obligate funds appropriated for the civil functions of the Corps of Engineers, Department of the Army, and were entered into on or before June 30, 1950; and all contracts to the extent that they obligate funds appropriated for the civil functions of the Corps of Engineers, Department of the Army, and were entered into after June 30, 1950, and (i) obligated funds appropriated or allotted for purposes other than for one of the projects on list A as set forth below, or (ii) in the case of any project on list A, were for work or materials required for the construction or operation of navigation or flood control works, located elsewhere than on the site of the main power facility, as determined by the Corps of Engineers. The Board has determined that contracts related to the following projects on list A are directly and immediately connected with defense, except to the extent indicated above, for the reason that such projects have as part of their purposes the increase of power facilities for defense. New projects having as part of their purposes the increase of power facilities for defense may be added to the list if authorized and approved.

LIST A	
Project	River basin
Albion Falls, Idaho.....	Columbia.
Allatoona, Ga.....	Alabama Coosa.
Blakely Mountain, Ark.....	Ouachita.
Bonneville, Oreg. and Wash.	Columbia.
Buford, Ga.....	Chattahoochee.
Bull Shoals, Ark.....	White.
Center Hill, Tenn.....	Cumberland.
Cheatham, Tenn.....	Do.
Chief Joseph, Wash.....	Columbia.
Clark Hill, Ga. and S. C.....	Savannah.
Dale Hollow, Tenn.....	Cumberland.
Denicon, Tex. and Okla.....	Red.
Detroit, Oreg.....	Willamette.
Folsom, Calif.....	Sacramento.
Fort Gibson, Okla.....	Arkansas.
Fort Peck, Mont.....	Missouri.
Fort Randall, S. Dak.....	Do.
Garrison, N. Dak.....	Do.
Gavins Point, Nebr. and S. Dak.	Do.

List A—Continued

Project	River basin
Jim Woodruff, Fla.	Chattahoochee.
John H. Kerr, Va.	Roanoke.
Lookout Point, Oreg.	Willamette.
McNary, Oreg. and Wash.	Columbia.
Narrows, Ark.	Ouachita.
Norfolk, Ark.	White.
Oahe, S. Dak.	Missouri.
Old Hickory, Tenn.	Cumberland.
Philpott, Va.	Roanoke.
St. Marys, Mich.	St. Mary.
Tenkiller Ferry, Okla.	Arkansas.
The Dales, Oreg. and Wash.	Columbia.
Whitney, Tex.	Brazos.
Wolf Creek, Ky.	Cumberland.

3. Subparagraph (16) is deleted in its entirety and the following is inserted in lieu thereof:

(16) *Bureau of Reclamation.* All contracts to the extent that they obligate funds of the Bureau of Reclamation, and were entered into on or before June 30, 1950; and all contracts to the extent that they obligate funds of the Bureau of Reclamation, and were entered into after June 30, 1950, and (i) obligated funds appropriated or allotted for purposes other than for one of the projects, or units of the Missouri River Basin project, on list A set forth below, or (ii) in the case of any project or unit on list A, were for work or materials required for the construction or operation of irrigation works located elsewhere than on the site of the main power facility, as determined by the Bureau of Reclamation. The Board has determined that contracts related to the following projects and units on list A are directly and immediately connected with defense, and therefore cannot be exempted, except to the extent indicated above, for the reason that such projects and units have as part of their purposes the increase of power facilities for defense. New projects having as part of their purposes the increase of power facilities for defense may be added to the list of authorized and approved.

List A

Project	Location
Boise project, Anderson Ranch Dam.	Idaho.
Boulder Canyon project, Hoover Dam and Power Plant.	Arizona-Nevada.
Central Valley project.	California.
Colorado-Big Thompson project.	Colorado.
Columbia Basin project.	Washington.
Davis Dam project.	Arizona-Nevada.
Eklutna project.	Alaska.
Fort Peck project.	Montana.
Hungry Horse project.	Montana.
Kendrick project.	Wyoming.
Missouri River Basin project:	
Angostura unit.	South Dakota
Boysen unit.	Wyoming.
Canyon Ferry unit.	Montana.
Kortes unit.	Wyoming.
Missouri diversion unit, transmission division.	Montana.
Palisades project.	Idaho.
Rio Grande project, power division.	New Mexico-Texas.
Shoshone project.	Wyoming.
Weber Basin project.	Utah.
Yakima project, Kennewick division.	Washington.

4. A new subparagraph (17) is added to read as follows:

(17) *Military exchanges and similar organizations.* Contracts for the purchase of materials by military exchanges, ships' service stores, slop chests, post restaurants, officers' or noncommissioned officers' clubs, benefit or welfare funds and similar organizations using nonappropriated funds.

5. A new subparagraph (18) is added to read as follows:

(18) All contracts for maintenance dredging.

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1219)

Dated February 2, 1953.

JOHN T. KOEHLER,
Chairman,
The Renegotiation Board.

[F. R. Doc. 53-1212; Filed, Feb. 4, 1953;
8:49 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 31, Supplementary Regulation 2, Correction]

CPR 31—IMPORTS

SR 2—IMPORTED STEEL

Due to clerical error a misprint has occurred in section 3 (a) (2) of Supplementary Regulation 2 to Ceiling Price Regulation 31. The word "Plates" should have been printed in place of the word "Blades." Accordingly section 3 (a) (2) of SR 2 to CPR 31 is corrected to read as follows:

2. A markup of \$20.00 per ton for:

Hot and Cold rolled sheets.
Plates.
Strip.
Cold finished bars.
Quality steels (special analyses).
Nails.
Galvanized barbed wire.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

JOSEPH H. FREEHILL,
Director of Price Stabilization.

FEBRUARY 4, 1953.

[F. R. Doc. 53-1281; Filed, Feb. 4, 1953;
11:08 a. m.]

[Ceiling Price Regulation 34, Supplementary Regulation 39]

CPR 34—SERVICES

SR 39—HAND LAUNDRIES IN PHILADELPHIA, PENNSYLVANIA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation 39 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 39 to Ceiling Price Regulation 34 permits an

increase in ceiling prices for hand laundries located in Philadelphia, Pennsylvania.

Hand laundries in Philadelphia do an estimated annual volume of business amounting to approximately \$750,000 annually. A study of operating costs and profit margins of a representative number of these hand laundries reveals that increased labor and material costs have impaired pre-Korean earnings of such hand laundries. In November 1952, new wage contracts were negotiated granting substantial wage increases. The wage increases are all within the formula of WSB regulations or have received WSB approval. In addition, OPS issued Supplementary Regulation 25 to Ceiling Price Regulation 34 in November 1952 granting power laundries in Philadelphia permission to increase their ceiling prices by 9 percent, thus increasing processing costs of the hand laundries. These cost increases have resulted in further impairment of the earnings of such hand laundries.

Under the provisions of this supplementary regulation, the charges of these hand laundries for their services may be increased by 10 percent. This uniform increase was determined in accordance with the standards for individual adjustment under section 20 of Ceiling Price Regulation 34. Such an adjustment may be applied to the total amount of each invoice rendered to the customer, and identified as the "OPS permitted price increase." If this method is used to apply the amount of the increase, the seller need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34. At the option of the individual hand laundry, however, the ceiling price for each item may be increased by not more than 10 percent. Adjusted flat prices must within ten days after their determination, be filed with the appropriate OPS District Office.

In the future, hand laundries subject to this supplementary regulation may not obtain an adjustment of their ceiling prices for their hand laundry services under section 20 of Ceiling Price Regulation 34.

In addition, the ceiling prices established by this supplementary regulation apply to all such hand laundry services, irrespective of any adjustment of ceiling prices heretofore granted under the provisions of Ceiling Price Regulation 34. Consequently any adjustments granted under that regulation are automatically revoked as of the effective date of this supplementary regulation.

In the formulation of this supplementary regulation the Director has consulted insofar as practicable with representative suppliers of these services, including representatives of trade associations, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization the increases permitted by this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Adjustment of ceiling prices.
4. Application of Section 20 of Ceiling Price Regulation 34.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; to U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. Purpose. This Supplementary Regulation permits hand laundries in Philadelphia, Pennsylvania to increase the ceiling prices of their hand laundry services by 10 percent.

SEC. 2. Relationship to Ceiling Price Regulation 34. All provisions of Ceiling Price Regulation 34, as amended, unless changed by the provisions of this supplementary regulation, shall remain in effect.

SEC. 3. Adjustment of ceiling prices. You may, if you are a hand laundry located in Philadelphia, Pennsylvania, increase your ceiling prices for hand laundry services established under section 5 of Ceiling Price Regulation 34, by 10 percent by either of the following methods:

(a) You may apply such increase to the total amount of each invoice rendered to the customer, provided you shall clearly write or stamp on each such invoice beside the adjustment the words "OPS permitted price increase". If you use this method of applying your price increase you need not make the supplementary filing required by section 18 (c) of Ceiling Price Regulation 34.

(b) You may in lieu of the method provided in paragraph (a) of this section, increase by 10 percent the ceiling prices of each hand laundry service item you supply. Within ten days after your prices are established under this paragraph, you must prepare and file with your district office of the Office of Price Stabilization a supplementary statement as required under section 18 (c) of Ceiling Price Regulation 34. You must also change or prepare and post on an official OPS poster the adjusted ceiling prices determined under this section. You may not use paragraph (a) of this section once you have elected to adjust ceiling prices under this paragraph.

(c) If the increase computed in paragraph (a) or (b) of this section results in a fraction of a cent, the price must be decreased to the next lower cent if the fractional cent is less than one-half cent or may be increased to the next higher cent if the fraction is one-half cent or more.

SEC. 4. Application of section 20 of Ceiling Price Regulation 34. (a) A hand laundry subject to this supplementary regulation may not, after the effective date of this supplementary regulation, apply for an adjustment of any of its ceiling prices for hand laundry services under section 20 of Ceiling Price Regulation 34, as amended.

(b) The adjustment of ceiling prices granted by section 3 of this supplementary regulation shall be the maximum adjustment permitted any hand laundry in lieu of, and irrespective of, any adjustment heretofore granted any such hand laundry under the provisions of Ceiling Price Regulation 34, as amended. Any order adjusting the ceiling prices of any such hand laundry services under section 20 of Ceiling Price Regulation 34, as amended, is hereby revoked as of the effective date of this supplementary regulation.

SEC. 5. Definitions. (a) "Hand laundries" as used in this regulation are laundry establishments receiving and distributing laundry, generally finishing come wearing apparel by hand ironing done on the premises, giving only limited, if any, delivery services.

Effective date. This Supplementary Regulation 39 to Ceiling Price Regulation 34 shall become effective February 9, 1953.

NOTE: The record-keeping and reporting requirement of the regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEMILL,
Director of Price Stabilization.

FEBRUARY 4, 1953.

[F. R. Doc. 53-1282; Filed, Feb. 4, 1953; 11:08 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

OAKLAND HARBOR IN VICINITY OF NAVAL SUPPLY CENTER

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1) paragraph (g) of § 207.640 is hereby amended by revision of the navigation regulation pertaining to the use and navigation of the entrance channel to the Naval Supply Center, Oakland, California, as follows:

§ 207.640 *San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, San Joaquin River, and connecting waters, Calif.*

(g) *Oakland Harbor in vicinity of Naval Supply Center, Oakland; navigation.* (1) All vessels over 1,000 tons displacement, bound for the Naval Supply Center, Oakland, shall use a qualified pilot regularly licensed for the waters of Oakland Harbor.

(2) All vessels over 1,000 tons displacement, bound for the Naval Supply Center, Oakland, shall, before navigating the entrance channel, receive a signal that the channel is clear. This signal will be a black ball between sunrise and sunset and a green light at night, displayed from the yard arm on top of a signal tower which is located on Pier

3, north side of the Naval Supply Center.

* * * * *

[Reg., Jan. 13, 1953, 890.211 (Oakland Harbor, California) ENGWO] (40 Stat. 266; 33 U. S. C. 1)

WILL E. BERGEN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-1219; Filed, Feb. 4, 1953; 8:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 831]

WASHINGTON

TRANSFERRING THE LANDS RESERVED FOR THE DEPARTMENT OF THE ARMY BY PUBLIC LAND ORDERS NOS. 165, 191, AND 261 TO THE ATOMIC ENERGY COMMISSION; PARTIALLY REVOKING PUBLIC LAND ORDER NO. 261

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F. R. 4831) it is ordered as follows:

1. All public lands, except those described in paragraph 4 hereof, reserved for the use of the War Department for military purposes by Public Land Orders No. 165 of September 6, 1943, No. 191 of November 1, 1943, and No. 261 of January 24, 1945, are hereby reserved for and transferred to the jurisdiction of the Atomic Energy Commission, for use in connection with the atomic energy program.

2. The withdrawals made by the said public land orders, as modified by this order, shall be subject to existing withdrawals for power-site and Federal power project purposes, so far as they affect any of the lands involved; and they shall take precedence over, but not otherwise affect, the existing withdrawals for reclamation purposes, so far as they affect any of such lands.

3. The said public land orders are hereby amended so as to delete therefrom the following paragraph:

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

4. The said Public Land Order No. 261 of January 24, 1945, is hereby revoked so far as it affects the following-described lands, which are included in existing withdrawals for reclamation purposes:

WILLAMETTE MERIDIAN

T. 12 N., R. 28 E.,
Sec. 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 13 N., R. 28 E.,
Sec. 34, S $\frac{1}{2}$ SE $\frac{1}{4}$.

The areas described aggregate 240 acres.

It is intended that the lands transferred by this order shall be returned to the administration of the Department of the Interior when they are no longer

needed for the purpose for which they are reserved.

JOEL D. WOLFSOHN,
Assistant Secretary of the Interior.

JANUARY 30, 1953.

[F. R. Doc. 53-1193; Filed, Feb. 4, 1953;
8:45 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 19160]

HEINRICH JOHANN JOSEPH GERHARD
MIELE

In re: Estate of Heinrich Johann Joseph Gerhard Miele, also known as Heinrich Johann Miele and H. J. Miele, deceased. File No. F-28-23961 A-1. E-1.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40) Public Law 181, 82d Congress, 65 Stat. 451, Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp., 3 CFR 1945 Supp.) Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR 1948 Supp.) and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Wiese, Franz Wiese, Franz Miele, Hubert Miele, Maria Miele, also known as Maria Wehrmann, Hans Josef Feichtner, Valerie Keill Hanssen, Gustav Ludwig Gregor Koslowski, Maria Luise Margaretha Franckson, Therese Hubertine Luise Franckson, Ludwig Hubert Johann (Jean) Franckson, Maria Therese Johanna Franckson, Nikolaus Sittart, Elisabeth Therese Sittart, Heinrich Hubert Ludwig Sittart, Katherine Junior Loers Elber and Anna Maria (Marianne) Junior, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany and are, and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

2. That the domiciliary personal representatives, names unknown, and the heirs, next-of-kin, legatees, devisees and distributees of Anna Miele Wiese, deceased; and of Johann Hendrik Kreutzer, deceased; and of Maria Josephine Katharina Franckson Sittart, deceased, who there is reasonable cause to believe are and, on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, in and to the Estate of Heinrich Johann Joseph Gerhard Miele, also known as Heinrich Johann Miele and H. J. Miele, deceased, is property which is and prior to January 1, 1947, was within the United States, owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to or which is evidence

of ownership or control by the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by Francis J. Mulligan, Public Administrator of New York County, New York, as administrator, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

5. That the national interest of the United States requires that the persons identified in subparagraphs 1 and 2 hereof, be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 2, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-1221; Filed, Feb. 4, 1953;
8:50 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF WEST COAST OF INDIA
AND PAKISTAN/U. S. A. CONFERENCE;
MEMBER LINES OF CEYLON/U. S. A. CONFERENCE

NOTICE OF APPROVAL OF AGREEMENTS BY THE BOARD

Notice is hereby given that the Board by order dated January 22, 1953, approved the following described agreements pursuant to section 15 of the Shipping Act, 1916, as amended:

(1) Agreement No. 8040-1, between the Member Lines of the West Coast of India, and Pakistan/U. S. A. Conference, modifies the basic agreement of that Conference (No. 8040) by deleting the paragraph providing that the Conference

may establish contract and non-contract rates. Agreement No. 8040 covers the trade from the West Coast of India and Pakistan, Tuticorin/Karachi Range inclusive, to United States Atlantic and Gulf ports.

(2) Agreement No. 8050-1, between the Member Lines of the Ceylon/U. S. A. Conference, modifies the basic agreement of that Conference (No. 8050) by deleting the paragraph providing that the Conference may establish contract and non-contract rates. Agreement No. 8050 covers the trade from Ceylon to United States Atlantic and Gulf ports.

Interested parties may obtain copies of either agreement at the Regulation Office, Federal Maritime Board, Washington, D. C.

Dated: February 2, 1953.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 53-1223; Filed, Feb. 4, 1953;
8:51 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3037 et al.]

NATIONAL AIRLINES; FINAL MAIL RATE PROCEEDING

NOTICE OF ORAL ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith.

In accordance with Board Order Serial No. E-7121 dated January 30, 1953, notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on February 10, 1953 at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., February 2, 1953.

[SEAL] FRANCIS W. BROWN,
Chief Examiner

[F. R. Doc. 53-1222; Filed, Feb. 4, 1953;
8:50 a. m.]

[Docket No. 5878]

NORTH STAR AIRCOACH AGENCY ET AL., ENFORCEMENT PROCEEDING

NOTICE OF HEARING

In the matter of Airline Reservations, Inc. d/b/a North Star Aircoach Agency, The Flying Irishman Agency and Air America Agency Enforcement Proceeding.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding is assigned to be held on February 24, 1953, at 10:00 a. m., e. s. t., in Room 5855, Commerce Building, Fourteenth and Constitution Avo-

nue NW., Washington, D. C., before Examiner Merritt F. Ruhlen.

Dated at Washington, D. C., January 30, 1953.

[SEAL] FRANCIS W. BROWN,
Chief Examiner

[F. R. Doc. 53-1199; Filed, Feb. 4, 1953;
8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF PROPOSED TRANSFER OF JURISDICTION

JANUARY 23, 1953.

Notice is hereby given that the Office of Territories, Department of the Interior, has made application, Anchorage 023123, for transfer of jurisdiction of interest to the Office of Territories, under section 7 of the Public Works Act of August 24, 1949 (63 Stat. 629; 48 U. S. C. 486e) in the following described lands, situated near Cordova, Alaska, and more particularly described in the application, for a public works project (Aaa. 50-A-116 Cordova Water System) which has been approved under section 4 of said act:

Starting at Corner No. 1 M. C. of U. S. Survey 1765 and running 1138 ft. S. 47° 43' E. to Corner No. 2; thence 1023.34 ft. N. 42° 17' E. to Corner No. 3; thence 1208.38 ft. N. 67° 22' W. to Corner No. 4; and thence 617 ft. S. 42° 17' W. to Corner No. 1 the point of beginning.

The purpose of this notice is to give persons having bona fide objection to the transfer, the opportunity to file with the Manager of the Land Office, Anchorage, Alaska, a protest within 30 days from the date of the notice, together with evidence that a copy of the protest has been served on the District Director, Office of the Territories, Juneau, Alaska.

LOWELL M. PUCKETT,
Regional Administrator

[F. R. Doc. 53-1194; Filed, Feb. 4, 1953;
8:45 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[Defense Manpower Policy No. 4, Notification
25, Revocation]

PLACEMENT OF PROCUREMENT IN THE DANIELSON, CONN., AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Department of Labor has notified the Surplus Manpower Committee that Danielson, Connecticut, is no longer classified as a Group IV, surplus labor area, and is now an unclassified area. Therefore, in accordance with the standards established by the Secretary of Labor under section III, paragraph 2 of Defense Manpower Policy No. 4, the certification of this area has been withdrawn.

The Department of Defense and the General Services Administration are hereby notified that preference in the

placement of Government contracts, in accordance with Defense Manpower Policy No. 4, should no longer be given to the above named area. Effective immediately Notification 25 is revoked.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Acting Director.

[F. R. Doc. 53-1263; Filed, Feb. 3, 1953;
2:51 p. m.]

[Defense Manpower Policy No. 4, Notification
32, Revocation]

PLACEMENT OF PROCUREMENT IN THE JOPLIN, MO., AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Department of Labor has notified the Surplus Manpower Committee that Joplin, Missouri, is no longer classified as a Group IV, surplus labor area, and is now an unclassified area. Therefore, in accordance with the standards established by the Secretary of Labor under section III, paragraph 2 of Defense Manpower Policy No. 4, the certification of this area has been withdrawn.

The Department of Defense and the General Services Administration are hereby notified that preference in the placement of Government contracts, in accordance with Defense Manpower Policy No. 4, should no longer be given to the above named area. Effective immediately Notification 32 is revoked.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Acting Director

[F. R. Doc. 53-1269; Filed, Feb. 3, 1953;
2:52 p. m.]

[Defense Manpower Policy No. 4, Notification
45, Revocation]

PLACEMENT OF PROCUREMENT IN THE CONNORSVILLE, IND., AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Department of Labor has notified the Surplus Manpower Committee that Connorsville, Indiana is no longer classified as a Group IV, surplus labor area, and is now an unclassified area. Therefore, in accordance with the standards established by the Secretary of Labor under section III, paragraph 2 of Defense Manpower Policy No. 4, the certification of this area has been withdrawn.

The Department of Defense and the General Services Administration are hereby notified that preference in the placement of Government contracts, in accordance with Defense Manpower Policy No. 4, should no longer be given to the above named area. Effective immediately Notification 45 is revoked.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Acting Director.

[F. R. Doc. 53-1270; Filed, Feb. 3, 1953;
2:52 p. m.]

[Defense Manpower Policy No. 4, Notification
47, Revocation]

PLACEMENT OF PROCUREMENT IN THE NORWICH, CONN., AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Department of Labor has notified the Surplus Manpower Committee that Norwich, Connecticut, is no longer classified as a Group IV surplus labor area, and is now an unclassified area. Therefore, in accordance with the standards established by the Secretary of Labor under section III, paragraph 2 of Defense Manpower Policy No. 4, the certification of this area has been withdrawn.

The Department of Defense and the General Services Administration are hereby notified that preference in the placement of Government contracts, in accordance with Defense Manpower Policy No. 4, should no longer be given to the above named area. Effective immediately Notification 47 is revoked.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Acting Director.

[F. R. Doc. 53-1271; Filed, Feb. 3, 1953; 2:52
p. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 10365, 10366]

PEOPLES BROADCASTING CO. AND WGAL,
INC. (WGAL-TV)

ORDER CONTINUING HEARING

In re applications of Peoples Broadcasting Company, Lancaster, Pennsylvania, for construction permit for a new television station, Docket No. 10365, File No. BPCT-654; and WGAL, Inc. (WGAL-TV) Lancaster, Pennsylvania, for construction permit to change site, increase power and antenna height, make equipment changes, and for regular operation of Television Station WGAL-TV on Channel 8, Docket No. 10366, File No. BPCT-910.

The Commission having under consideration a motion, filed by Peoples Broadcasting Company on January 19, 1953, requesting that the hearing on the above-entitled applications be continued from February 2, 1953, to a date thirty days after Commission action on the movant's "Motion to Enlarge and Change Issues" filed on January 16, 1953, which is pending before the Commission; and

It appearing, that the orderly conduct of the hearing requires a continuance to await Commission action upon the request for changes in the issues and that the attorneys for the Chief of the Broadcast Bureau and for the parties herein have informally consented to the granting of the motion as hereinafter ordered; and

It further appearing, that an appropriate date for hearing can best be fixed by subsequent order so as to allow time for such prehearing conferences and other preparatory steps as may be expedient and that the ordering of a continuance until such time as may be stated in a later order will conduce to

the proper dispatch of business and to the ends of justice; now therefore,

It is ordered, This 27th day of January 1953, that the motion is granted in part, and the hearing on the above-entitled applications is continued until such date as shall be fixed by further order herein.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-1213; Filed, Feb. 4, 1953;
8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2973]

ELECTRIC ENERGY, INC., ET AL.

ORDER PERMITTING PROPOSED ISSUANCE AND SALE BY SUBSIDIARY OF COMMON STOCK TO PARENTS, OF A SHORT TERM BANK LOAN, AND OF PRIVATE SALE OF BONDS TO FINANCE EXPANSION OF FACILITIES SERVING AN ATOMIC ENERGY PROJECT

JANUARY 30, 1953.

In the matter of Electric Energy, Inc., Middle South Utilities, Inc., Union Electric Company of Missouri, Illinois Power Company Kentucky Utilities Company File No. 70-2973.

Electric Energy, Inc. ("Electric Energy") a public utility company, and the following of its parent companies, Middle South Utilities, Inc. ("Middle South") a registered holding company, Union Electric Company of Missouri ("Union") a registered holding company and a public utility company, and Illinois Power Company ("Illinois") and Kentucky Utilities Company ("Kentucky") both public utility companies and registered holding companies, which are exempt as holding companies from the provisions of the act, have filed a joint application-declaration and amendments thereto pursuant to sections 6, 7, 9, 10 and 12 of the act regarding the issuance and sale by Electric Energy of (i) a maximum of \$65,000,000 principal amount of 3¾ percent First Mortgage Sinking Fund Bonds; (ii) an aggregate of \$2,700,000 par value of additional common stock; and (iii) \$2,000,000 principal amount of 3 percent promissory notes due August 3, 1953. The proposals also include the execution of certain related contracts by all of the applicants-declarants, and the acquisition by the parent companies of the additional common stock of Electric Energy. Electric Energy has requested that said issuance and sale of bonds be exempted from the competitive bidding requirements of Rule U-50 promulgated under the act.

Said joint application-declaration, as amended, having been duly filed and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 and the Commission not having received a request for hearing with respect to said joint application-declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission having considered the record in the matter and having filed this day its memorandum opinion herein and finding for the reasons set forth in said memorandum opinion that it is appropriate to grant the application and permit the declaration to become effective, and to grant the requested exemption from the competitive bidding requirements of Rule U-50:

It is ordered, Pursuant to Rule U-23 that said joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith, and that the proposed issuance and sale of bonds by Electric Energy be, and the same hereby is, exempted from the competitive bidding requirements of Rule U-50, all subject to the terms and conditions prescribed in Rule U-24 and to the following additional terms and conditions:

(a) That the additional common stock of Electric Energy shall be acquired subject to the limitations set forth in paragraphs (A) and (B) of the Commission's order dated January 15, 1951, (Holding Company Act Release No. 10340)

(b) That this order, our opinion herein, our memorandum opinions dated January 15, 1951, (Holding Company Act Release No. 10340) and June 26, 1951 (Holding Company Act Release No. 10639) as well as any contracts or relationships then existing will not be pleaded in any future proceedings under section 10 of the act, as contemplated in the Commission's aforesaid order of January 15, 1951.

(c) That jurisdiction be reserved over all fees and expenses to be incurred in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-1196; Filed, Feb. 4, 1953;
8:46 a. m.]

[File No. 70-2983]

NEW ENGLAND ELECTRIC SYSTEM

ORDER AUTHORIZING CERTAIN AMENDMENTS TO DECLARATION OF TRUST AND CERTAIN ACCOUNTING ADJUSTMENTS

JANUARY 30, 1953.

New England Electric System ("NEES") a registered holding company, having filed with this Commission a declaration, pursuant to sections 6 (a) 7, and 12 (e) of the Public Utility Holding Company Act of 1935 (the "act") and Rules U-23, U-62 and U-65 of the rules and regulations promulgated thereunder, with respect to the following proposed transaction:

NEES proposes (1) to increase its authorized common shares from 8,500,000 shares to 11,500,000 shares; (2) to reduce its Paid-in Surplus by \$57,999,470 and its Earned Surplus by the net amount of \$541,173 in connection with the creation of a general reserve relating to investments in the amount of \$58,540,643 and NEES requests that the Commission approve the elimination of a requirement that its net income be appropriated annually in the amount of \$1,250,000 for

such a reserve (See New England Power Association, Holding Company Act Release No. 6470, March 14, 1946), and (3) to amend its Agreement and Declaration of Trust in connection with preemptive offerings to shareholders to provide that cash or full share rights may be issued in lieu of rights to fractional shares. The proposed increase in authorized shares requires the affirmative vote of a majority of the common shares present or represented at a shareholders' meeting held for such purpose. The other two proposals require the affirmative vote of a majority of the outstanding common shares. The declaration indicates that a special meeting of such shareholders will be held on February 24, 1953, and NEES requests authority to solicit proxies therefor. The declaration includes copies of the proxy and proxy statement which NEES intends to send to its shareholders. In connection with the solicitation of proxies, NEES proposes to retain the services of professional proxy solicitors.

According to the declaration, the expenses to be incurred by NEES in connection with the proposed transactions are estimated at \$29,000. This estimate includes \$10,000 for the services of professional proxy solicitors; \$1,500 for the expenses of officers and employees of NEES for services rendered in connection with the solicitation of proxies; \$10,000 for expenses in connection with the mailing of the proxies; and \$5,000 for services performed, at cost, by New England Power Service Company, an affiliated service company. The declaration further states that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

NEES requests that the Commission's Order herein become effective forthwith upon issuance.

Due notice having been given of the filing of the declaration, and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said declaration be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration be, and it hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-1198; Filed, Feb. 4, 1953;
8:46 a. m.]

[File No. 812-812]

EMPIRE SECURITIES CORP

NOTICE OF APPLICATION

JANUARY 30, 1953.

Notice is hereby given that Empire Securities Corporation ("Empire") of Den-

ver, Colorado, has filed an application pursuant to section 6 (d) of the Investment Company Act of 1940 ("act") and Rule N-6D-1 thereunder for an order of the Commission exempting it from certain requested provisions of the act, hereinafter set forth.

It appears from the application that Empire was organized under the laws of the State of Colorado on November 18, 1952, and is a closed-end, management investment company as defined in the act; that under its certificate of incorporation, Empire is authorized to issue 10,000 shares of common stock, par value \$10 per share; that said stock will be offered at par and the aggregate sums received by Empire from the sale of all its outstanding securities plus the aggregate offering price of all securities of which Empire is the issuer and which it proposes to offer for sale, will not exceed \$100,000; that said offering will be restricted to the State of Colorado, and no offering will be made to any person not a resident of that State; that said stock will be offered to the personal and business acquaintances of the incorporators; and that the investment policy of Empire is the investment in growth situations, particularly in the industrial and business expansion of the Rocky Mountain Region, with safety of principal not of primary consideration.

Empire requests exemption from the following provisions of the act: Sections 7; 8 (except subsection (e) thereof in respect of reports required to be filed pursuant to section 30 (b) (2) and subsection (b) thereof with respect to filing the information called for by Items 35-47 of Form N-8B-1) 12 (except subsections (a) and (d) thereof) 14, 24, 30 (except subsection (d) and paragraph (2) of subsection (b) thereof and subsection (a) thereof with respect to filing annually the information called for by Items 35-47 of Form N-30A-1) and 32 (except subsection (c) thereof)

Section 6 (d) of the act and Rule N-6D-1 thereunder provide, in substance, that the Commission may by order upon application exempt a closed-end investment company from any or all provisions of the act, but subject to such terms and conditions as may be necessary or appropriate in the public interest or for the protection of investors, if the aggregate sums received from the sale of all its securities, outstanding and to be offered, do not exceed \$100,000 and if the sale of its securities is restricted to residents of the state of its organization.

All interested persons are referred to said application which is on file at the Washington, D. C., office of the Commission, for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application may be issued by the Commission, and upon such conditions as the Commission may deem necessary or appropriate, at any time on or after February 23, 1953, unless prior thereto a hearing upon the application is ordered by the Commission, as provided by Rule N-5 of the rules and Regulations promulgated under the act. Any interested person may, not later than February 19, 1953, at 5:30 p. m.,

No. 24—2

e. s. t., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-1197; Filed, Feb. 4, 1953;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27753]

PAINTS AND PAINT MATERIALS FROM CHICAGO, ILL., MILWAUKEE AND RACINE, WIS., TO THE SOUTHWEST

APPLICATION FOR RELIEF

FEBRUARY 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedules listed below. Commodities involved: Paints and paint materials, carloads.

From: Chicago, Ill., Milwaukee and Racine, Wis.

To: Points in Arkansas, Oklahoma, and Texas.

Grounds for relief: Rail competition and circuitry.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3912, Supp. 168; F. C. Kratzmeir, Agent, I. C. C. No. 3919, Supp. 145; F. C. Kratzmeir, Agent, I. C. C. No. 3927, Supp. 63.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1201; Filed, Feb. 4, 1953;
8:47 a. m.]

[4th Sec. Application 27754]

WOODPULP FROM COOSA PINES, ALA., TO IRON MOUNTAIN, MICH.

APPLICATION FOR RELIEF

FEBRUARY 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Woodpulp, carloads.

From: Coosa Pines, Ala.

To: Iron Mountain, Mich.

Grounds for relief: Rail competition, circuitry, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1260, Supp. 26.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1202; Filed, Feb. 4, 1953;
8:47 a. m.]

[4th Sec. Application 27755]

COAL FROM WEST VIRGINIA AND VIRGINIA TO PARIS AND FRANKFORT, KY.

APPLICATION FOR RELIEF

FEBRUARY 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for The Chesapeake and Ohio Railway Company, Cincinnati, New Orleans and Texas Pacific Railway Company, and Frankfort & Cincinnati Railroad Company.

Commodities involved: Coal, bituminous, cannel coal, and coal briquettes, carloads.

From: New River, Kanawha, and Big Sandy districts in West Virginia and Virginia.

To: Paris and Frankfort, Ky.

Grounds for relief: Rail competition, circuitry, and grouping.

Schedules filed containing proposed rates: C & O Ry. tariff I. C. C. No. 13007, Supp. 20.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1203; Filed, Feb. 4, 1953;
8:47 a. m.]

[4th Sec. Application 27756]

WOODPULP FROM ST. MARYS, GA., TO
GILMAN, VT.

APPLICATION FOR RELIEF

FEBRUARY 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below. Commodities involved: Woodpulp, carloads.

From: St. Marys, Ga.

To: Gilman, Vt.

Grounds for relief: Rail competition and circuitry.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1260, Supp. 27.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1204; Filed, Feb. 4, 1953;
8:47 a. m.]

[4th Sec. Application 27757]

FEEDING GRAINS FROM COLORADO AND
KANSAS TO COLORADO AND WYOMING

APPLICATION FOR RELIEF

FEBRUARY 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. J. Hennings, Alternate Agent, for carriers parties to schedules listed below.

Commodities involved: Feeding grains, carloads, as described in the application. From: Eastern Colorado and central and western Kansas.

To: Northern Colorado and southeastern Wyoming.

Grounds for relief: Rail competition, circuitry, operation through higher-rated territory, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: AT&SF Ry. I. C. C. Nos. 14663 and 14665, Supps. 23 and 14; CB&Q RR. I. C. C. No. 20259, Supp. 39; CRI&P RR. I. C. C. No. C-13422, Supp. 13; Mo. Pac. RR. I. C. C. No. A-10016, Supp. 15; U. P. RR. I. C. C. No. 5166, Supp. 45.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1205; Filed, Feb. 4, 1953;
8:48 a. m.]

[4th Sec. Application 27758]

FERTILIZERS FROM THE SOUTHWEST AND
KANSAS TO TENNESSEE

APPLICATION FOR RELIEF

FEBRUARY 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent for carriers parties to schedule listed below.

Commodities involved: Fertilizer and related articles, also anhydrous ammonia, carloads.

From: Points in southwestern territory, also Kansas.

To: Mt. Olive, Crenshaw, and Tenco, Tenn.

Grounds for relief: Rail competition, circuitry, and grouping.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3746, Supp. 104.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1206; Filed, Feb. 4, 1953;
8:48 a. m.]

[4th Sec. Application 27759]

CEMENT FROM DES MOINES AND WEST DES
MOINES TO SIOUX CITY, IOWA

APPLICATION FOR RELIEF

FEBRUARY 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. J. Hennings, Alternate Agent, for the Chicago, Burlington & Quincy Railroad Company and the Chicago, Rock Island and Pacific Railroad Company.

Commodities involved: Cement and related articles, carloads.

From: Des Moines and West Des Moines, Iowa.

To: Sioux City, Iowa.

Grounds for relief: Rail competition and circuitry.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1207; Filed, Feb. 4, 1953;
8:48 a. m.]

[4th Sec. Application 27760]

SOYBEANS FROM MEMPHIS, TENN., AND
HELENA, ARK., TO NEW ORLEANS, LA.

APPLICATION FOR RELIEF

FEBRUARY 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provisions of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for the Chicago, Rock Island and Pacific Railroad Company and other carriers, pursuant to fourth-section order No. 16101.

Commodities involved: Soybeans, carloads.

From: Memphis, Tenn., and Helena, Ark.

To: New Orleans, La., for export.

Grounds for relief: Rail competition, circuitry, and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
 Acting Secretary.

[F. R. Doc. 53-1208; Filed, Feb. 4, 1953;
8:43 a. m.]

[4th Sec. Application 27761]

PETROLEUM AND PRODUCTS FROM FORT
CHADBOURNE, TEX., TO POINTS IN SOUTH-
WESTERN, SOUTHERN, OFFICIAL, AND
WESTERN TRUNK LINE TERRITORIES

APPLICATION FOR RELIEF

FEBRUARY 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Petroleum and its products, carloads.

From: Fort Chadbourne, Tex.

To: Points in southwestern, southern, official, and western trunk-line territories.

Grounds for relief: Rail competition, circuitry, grouping, and additional origin.

Schedules filed containing proposed rates: Agent Kratzmeir's tariffs I. C. C. Nos. 3494, 3585; 3651, 3724, 3802, and 3825, Supp. Nos. 265, 537; 310, 165, 136, and 167, respectively.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
 Acting Secretary.

[F. R. Doc. 53-1209; Filed, Feb. 4, 1953;
8:48 a. m.]

[4th Sec. Application 27762]

LUMBER FROM NORTH PACIFIC COAST TO
WISCONSIN

APPLICATION FOR RELIEF

FEBRUARY 2, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by C. J. Hennings, Alternate Agent, for carriers parties to his tariff I. C. C. No. 1545.

Commodities involved: Lumber and related articles, carloads.

From: North Pacific coast points.

To: Specified points in Wisconsin.

Grounds for relief: Rail competition, circuitry, and additional routes.

Schedules filed containing proposed rates: C. J. Hennings' tariff I. C. C. No. 1545, Supp. 27.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
 Acting Secretary.

[F. R. Doc. 53-1210; Filed, Feb. 4, 1953;
8:48 a. m.]

